

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

| | | |
|----------------------------|---|--------------|
| BRIAN C. WILLIAMS, et al., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 1:19-CV-1076 |
| |) | |
| THE ESTATES LLC, et al., |) | |
| |) | |
| Defendant. |) | |

ORDER

The Receiver seeks to sell property located at 2104 Woodhaven Road in Charlotte North Carolina. That property was owned by Timber Refuge, LLC, *see* Doc. 461 at ¶ 3, one of the Receiver Defendants. *See* Doc. 399 at 2–3, 42.

Robin LaVecchia objects to any sale under conditions that do not include satisfaction of the judgment she has against Timber Refuge, LLC. Doc. 468. In open court on July 6, 2023, her attorney also suggested the commission was too high. Defendant Carolyn Souther objects to any sale under conditions that include satisfying Ms. LaVecchia’s judgment before paying the five deeds of trust filed in June 2022, Doc. 478, with specific concerns about the deed of trust held by 153 Fish, LLC, in which Ms. Souther claims an interest.

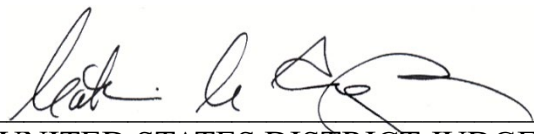
On July 6, 2023, the Court held a confirmation hearing for the sale and heard from counsel, the Receiver, and other interested parties. In open court, the Court stated it would approve the sale by written order, which has now been done. Doc. 484. Also in open court, the Court authorized additional briefing from Ms. Souther and Ms.

LaVecchia, on an expedited schedule in hopes of resolving the legal issues in dispute before the sale is finalized. This Order memorializes that briefing schedule set in open court.

As stated in open court, it is **ORDERED** that:

1. Ms. Souther **MAY** file a brief no later than Wednesday, July 12, 2023, addressing why the *lis pendens* filed July 15, 2021, does not entitle Ms. LaVecchia to an order directing the Receiver to satisfy the judgment against Timber Refuge, LLC in full from the sales proceeds at or soon after closing and before satisfaction of the five deeds of trust filed in June 2022, assuming those deeds of trust are valid and should be honored.
2. Ms. LaVecchia **MAY** file a response no later than Friday, July 14, 2023, directed to that same limited question.
3. If the Receiver wants to be heard, he **MAY** file a brief no later than Friday, July 14, 2023.
4. The Court will enter a separate order as time permits addressing issues raised by the five deeds of trusts filed in June 2022.

This the 10th day of July, 2023.


UNITED STATES DISTRICT JUDGE